

**From:** Ann Schroeder

**Sent:** Tuesday, March 7, 2023 1:57 PM

**To:** Tom Burditt; Kevin Christie; Joseph Andriano; Angela Arsenault; Ela Chapin; Kari Dolan; Kenneth Goslant; Thomas Oliver; Barbara Rachelson; Peninah Hodin; Martin LaLonde; William Notte

**Subject:** In Support of H.142, An act relating to juvenile delinquency and criminal proceedings involving children.

Dear Members of the House Judiciary Committee and the Committee Assistant,

I am writing in support of H.142, An act relating to juvenile delinquency and criminal proceedings involving children.

Please ask the Committee Assistant to add this to the record. Thank you.

There are three main areas of this bill. I will address each.

The first is to increase the minimum age at which a child may be subject to juvenile delinquency proceedings from 10 to 12.

I am surprised that Vermont is behind the curve on this. Over the past few years, California, Massachusetts, and Utah, have each set the highest minimum age for juvenile court jurisdiction at 12 years old. And in 2021, even Mississippi set the age at 12.

The National Juvenile Justice Network (NJJN) calls on all states to set a minimum age of prosecution of no lower than 14-years-old in accordance with the standards set forth by the United Nations Convention on the Rights of the Child (CRC).

According to the NJJN, processing and confining children in the juvenile justice system is not only traumatic but it exposes them to damaging collateral consequences, including physical and sexual abuse, suicide, disruptions to mental and physical development, and barriers to education and employment.

The second aim of this bill is to prohibit the use of solitary confinement and corporal punishment on children placed in secure facilities.

The American Academy of Child & Adolescent Psychiatry says solitary confinement of juveniles can lead to depression, anxiety and even psychosis. 23 states and the District of Columbia have enacted statutes

that limit or prohibit solitary confinement while other states have limited its use through administrative code, policy or court rules.

On the federal level, in 2016 President Obama published an executive order that banned the use of solitary confinement in both federal jails and prisons. Why is Vermont still doing this to our youth?

The third aim of this bill is to require that when a defendant who is under 18 years of age is sentenced for a crime, the court must consider whether the child was subjected to any early childhood trauma or adverse childhood experiences as potential mitigating factors.

I asked a friend who is a Guardian ad Litem about this. She said she is solidly in favor of paying close and legal attention to childhood trauma prior to the commitment of a crime. Triggers and PTSD play a key role here, and absolutely must be taken into account in the legal understanding of a committed crime. She sees this so clearly with children in state custody.

Please support H.142. Thank you.

Ann Schroeder  
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